

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 4, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT: CARTER & BURGESS - OWNER: GREYSTONE NEVADA LLC**

---

**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning & Development**

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**Public Works**

3. The submitted Drainage Plan and Technical Drainage Study Update must be approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

## **\*\* STAFF REPORT \*\***

### **APPLICATION REQUEST**

A Petition to Vacate a Public Drainage Easement generally located west of the intersection of Cliff Shadows Parkway and West Lone Mountain Road.

### **EXECUTIVE SUMMARY**

The applicant is requesting to Vacate a Public Drainage Easement shown on the Recorded Final Map of Lone Mountain/Cliff Shadows Unit 2 as Common Lot C. The vacation is being requested due to a redesign of the drainage facility area and will be re-dedicated on the Amended Final Map (FMP-15309) of Lone Mountain/Cliff Shadows Unit 2.

### **BACKGROUND INFORMATION**

#### ***A) Related Actions***

- 05/16/01      The City Council approved a request for a Major Modification [Z-0024-99(21)] to the Lone Mountain West Master Development Plan and Design Standards to amend Subsections 3.6.1(i), 3.6.1(l), 3.6.2(e), and 3.12(g) regarding retaining wall height and spacing. The Planning Commission and staff recommended approval on 04/12/01.
- 02/20/02      The City Council approved an Annexation (A-0034-01) of property into the City of Las Vegas consisting of 4.58 acres adjacent to the southwest corner of Lone Mountain Road and Shaumber Road. The Planning Commission and staff recommended approval on 05/24/01. The effective date was 03/01/02.
- 09/18/02      The City Council approved a request for a Major Modification [Z-0024-99(44)] to the Lone Mountain West Master Development Plan to add approximately five acres to the Plan and to designate the northern half Village Commercial and the southern half as Medium Low Density Residential; and a Site Development Plan Review [Z-0067-99(2)] for a convenience store with gasoline pumps and a tavern on a portion of a two-acre site adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005). The Planning Commission and staff recommended approval on 07/25/02, but due to a public hearing notice error, these items were renotified, rescinded and recommended for approval on 08/22/02.

- 09/18/02      The City Council approved a Special Use Permit (U-0081-02) for the Sale of Packaged Liquor for Off-Premise Consumption in conjunction with a proposed convenience store; a Special Use Permit (U-0082-02) for Gasoline Sales in conjunction with a proposed convenience store; and a Special Use Permit (U-0083-02) for a Tavern adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005). Planning Commission and staff recommended approval of all items on 07/25/02.
- 09/18/02      The City Council approved a request by the City of Las Vegas to amend the Master Plan of Streets and Highways (MSH-0003-02) to designate Lone Mountain Road as an 80-foot wide Secondary Collector from the Western Beltway to the westernmost City limits; and a Petition to Vacate (VAC-0059-02) the south ten feet of Lone Mountain Road, generally located west of Barden Road. The Planning Commission and staff recommended approval on 08/22/02.
- 10/02/02      The City Council approved a Major Modification [Z-0024-99(43)] to the Lone Mountain West Master Development Plan to add approximately 15 acres into the Plan and designate the subject area as Medium-Low Density Residential on the south side of Lone Mountain Road, approximately 330 feet west of Cliff Shadows Parkway. (APN: 137-01-101-002, 003, and 004). The Planning Commission and staff recommended approval on 09/12/02.
- 11/06/02      The City Council approved a Petition to Annex (A-0014-02) 4.57 acres generally located on the south side of Lone Mountain Road, approximately 670 feet east of Puli Road. The City Council also approved an Annexation (A-0027-02) on property generally located on the south side of Lone Mountain Road, 330 feet east of Puli Road, containing approximately 4.96 acres. The Planning Commission and staff recommended approval on 04/25/02. The effective date was 11/15/02.
- 05/21/03      The City Council approved a Rezoning (ZON-1936) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development), a Variance (VAR-2196) to allow a reduction in the amount of required open space, and a Site Development Review (SDR-1937) for a proposed 171-lot residential development on the subject site. The Planning Commission recommended approval on 04/24/03. Staff recommended approval of ZON-1936 and denial of SDR-1937.
- 05/13/04      The Planning Commission approved a Site Development Plan Review (SDR-4192) for a proposed 136-lot single-family residential development on 18.83 acres on the subject site. Staff recommended approval.
- 07/08/04      The Planning Commission approved a Tentative Map (TMP-4501) for a proposed 136-lot single-family residential subdivision as approved in SDR-4192). Staff recommended approval.

- 08/22/04      A Final Map (FMP-6801) was recorded depicting a Public Drainage Easement as Common Lot C within Lone Mountain/Cliff Shadows Unit 2.
- 07/21/06      An Amended Final Map (FMP-15309) was submitted to amend Recorded Final Map (FMP-6801).
- 09/07/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/r1).

***B) Pre-Application Meeting***

A pre-application meeting is not required as part of this application request, nor was one held.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

This is a request to vacate a Public Drainage Easement beginning approximately One Thousand, Two Hundred and Sixty-Three Feet (1,263-Feet) west of the intersection of Cliff Shadows Parkway and Lone Mountain Road and extending south approximately Six Hundred and Thirty-Six Feet (636-Feet) to Peaceful Dawn Avenue. Said property being a portion of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 01, Township 20 South, Range 59 East, M.D.M.

**ANALYSIS**

***A) Planning discussion***

The applicant intends to vacate the existing public drainage easement because it is no longer needed in its current configuration. This request is appropriate, as the subject rights-of-way are not needed and will not result in reduced access traffic handling capability for the area.

***B) Public Works discussion***

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *No*.

- B. From a traffic-handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *This vacation request involves only a drainage easement and no right-of-way.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *No.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 5 by City Clerk

**APPROVALS** 0

**PROTESTS** 0